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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. EDCV 09-01879 VAP (DTBx)

Date: January 12, 2010

Title: EMMANUEL F. PERCIVAL AND TONI L. PERCIVAL -v- U.S. BANK
NATIONAL ASSOCIATION, et al.

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFFS:

ATTORNEYS PRESENT FOR
DEFENDANTS:

None

None

PROCEEDINGS: MINUTE ORDER (1) VACATING DECEMBER 11, 2009
ORDER TO SHOW CAUSE; AND (2) DISMISSING
PLAINTIFFS' COMPLAINT (IN CHAMBERS)

On December 11, 2009, the Court ordered Plaintiffs Emmanuel F. Percival and Toni L. Percival ("Plaintiffs") to show cause, in writing, no later than January 4, 2010, why their First Amended Complaint should not be dismissed. Plaintiffs failed to respond to the Order to Show Cause. Plaintiffs concede that Defendants were successful in an action for unlawful detainer brought in the Superior Court of California, Riverside County. The Court lacks authority to review final determinations of California Superior Courts. See District of Columbia Ct. of

Appeals v. Feldman, 460 U.S. 462, 476 (1983). Furthermore, the Anti-Injunction Act states: "A court of the United States may not grant an injunction to stay proceedings

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Initials of Deputy Clerk: jh-relief

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MINUTE ORDER of January 12, 2010

in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments." 28 U.S.C. § 2283. None of these situations are present here. Accordingly, Plaintiffs' First Amended Complaint is dismissed without prejudice.

IT IS SO ORDERED.